

Mail Stop Interference
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Entered: February 22, 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Switchcraft, Inc.,
Junior Party
(Application 10/863,322;
Inventor: Andrew Karl Eckhart),

v.

ADC Telecommunications, Inc.,
Senior Party
(Patent 6,992,257;
Inventors: Michael Follingstad, Peter Adams and Jeffrey Peters).

Patent Interference No. 105,717 (RES)
(Technology Center 2800)

Redeclaration – 37 C.F.R. § 41.203(c)

1 This interference is redeclared in light of the decision on Switchcraft's
2 motion to designate certain claims as not corresponding to the count. Paper
3 30. That decision granted Switchcraft's motion with respect to its claims 1-
4 12, 14-21, 23-30, and 32-39, but denied the motion with respect to claims
5 41-58. The motion to undesignate was part of the parties' attempt to reach a
6 settlement that would bring this proceeding to a close. However, in order to
7 conclude the interference, Switchcraft's claims 41-58 also had to be shown
8 to not corresponding to the count.

1 **Count and claims of the parties**

2 **Count 1**

3 The subject matter of Claims 1, 22, or 59 of Patent 6,922,257.¹

4 The claims of the parties are:

5 Switchcraft: 1-12, 14-21, 23-30, 32-39, 41-59, 61, 63-67,
6 69-111

7 ADC: 1-77

8 The claims of the parties which correspond to Count 1 are:

9 Switchcraft: 41-59, 61, 63-67, and 69-111

10 ADC: 1-77

11 The claims of the parties which do not correspond to Count 1,
12 and therefore are not involved in the interference, are:

13 Switchcraft: 1-12, 14-21, 23-30, and 32-39

14 ADC: None

15 The parties are accorded the following benefit for Count 1:

16 Switchcraft: None

17 ADC: None

18
19 In light of the decision on Switchcraft's motion, this interference is
20 now ready to proceed to the priority phase. An order setting the dates for
21 filing the parties' respective priority cases on will be set in a separate paper.

22

 /Richard E. Schafer/
 Administrative Patent Judge

¹ This count encompasses the subject matter of each of the recited claims. Thus, proof of conception or reduction to practice of an embodiment falling within the scope of any one of claims 1, 22 or 59 is sufficient to prove conception or reduction to practice of the subject matter of the count.

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